

**STATUTORY PERFORMANCE BOND PURSUANT TO CHAPTER 2253
OF THE TEXAS GOVERNMENT CODE AS AMENDED
BY THE 73RD TEXAS LEGISLATURE, 1993
(PUBLIC WORKS)**

KNOW ALL BY THESE PRESENTS

That, Henneberger Construction, Inc.
(hereinafter called the Principal), as Principal, and
Oklahoma Surety Company
(hereinafter called the Surety), as Surety,

a corporation organized and existing under the laws of the State of Ohio, with its
principal office in the city of TULSA, are held and firmly bound unto the
City of Frisco, TX

(hereinafter called the Oblige), in the amount of
\$ 357,966.00 (Three Hundred Fifty Seven Thousand Nine Hundred Sixty Six)

for the payment whereof, the said Principal and Surety bind themselves, and their heirs, administrators,
executors, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has entered into a certain written contract with the Oblige, dated the
26th of February, 2010, for

Duncan Neighborhood Park Renovation: ARBJ File No. Frisco 870008 0472 Park Contracts

which contract is hereby referred to and made a part hereof as fully and to the same extent as if copied at
length herein.

NOW, THEREFORE, the conditions of this Obligation is such, that if the Principal shall faithfully perform
the work in accordance with the plans, specifications, and contract documents, then this obligation shall be
void; otherwise to remain in full force and effect.

PROVIDED, HOWEVER, that this bond is executed pursuant to the provisions of Chapter 2253 of Texas
Government Code as amended by Acts of the 73rd Legislature, 1993, and all liabilities on this bond to all
such claimants shall be determined in accordance with the provisions of said Chapter to the same extent as if it
were copied at length herein.

IN WITNESS WHEREOF, the said Principal and Surety have signed and sealed this instrument
on this the 1st day of March, 2010

Witness:

(Seal)

(If Individual or Firm)

By:

Henneberger

Henneberger Construction, Inc.

(Seal)

Witness:

(If Corporation)

By:

Oklahoma Surety Company

(Seal)

Surety

By:

Brent M. Blonigan

Brent M. Blonigan

Attorney-In-Fact

**STATUTORY PAYMENT BOND PURSUANT TO CHAPTER 2253
OF THE TEXAS GOVERNMENT CODE AS AMENDED
BY THE 73RD TEXAS LEGISLATURE, 1993
(PUBLIC WORKS)**

KNOW ALL BY THESE PRESENTS

That, Henneberger Construction, Inc.

(hereinafter called the Principal), as Principal, and

Oklahoma Surety Company

(hereinafter called the Surety), as Surety,

a corporation organized and existing under the laws of the State of Ohio, with its principal office in the city of Tulsa,

City of Frisco, TX, (hereinafter called the Oblige), in the amount of

\$ 357,966.00 (Three Hundred Fifty Seven Thousand Nine Hundred Sixty Six)

for the payment whereof, the said Principal and Surety bind themselves, and their heirs, administrators, executors, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has entered into a certain written contract with the Oblige, dated the

26th of February, 2010, forDuncan Neighborhood Park Renovation: ARBJ File No. Frisco 870008 0472 Park Contracts

which contract is hereby referred to and made a part hereof as fully and to the same extent as if copied at length herein.

NOW, THEREFORE, the conditions of this Obligation is such, that if the Principal shall pay all claimants supplying labor and material to him or a subcontractor in the prosecution of the work provided for in said contract, then, this obligation shall be void; otherwise to remain in full force and effect.

PROVIDED, HOWEVER, that this bond is executed pursuant to the provisions of Chapter 2253 of Texas Government Code as amended by Acts of the 73rd Legislature, 1993, and all liabilities on this bond to all such claimants shall be determined in accordance with the provisions of said Chapter to the same extent as if it were copied at length herein.

IN WITNESS WHEREOF, the said Principal and Surety have signed and sealed this instrument on this the 1st day of March, 2010

Witness:

(If Individual or Firm)

Witness:

(If Corporation)

By:

HennebergerHenneberger Construction, Inc.

(Seal)

(Seal)

By:

Oklahoma Surety Company

(Seal)

By:

Brent M. BloniganBrent M. Blonigan

Attorney-in-Fact

Surety

MID-CONTINENT CASUALTY COMPANY

OKLAHOMA SURETY COMPANY

STATE OF TEXAS

CLAIM NOTICE ENDORSEMENT

In accordance with Section 2253.021 (f) of the Texas Government Code and Section 53.202(6) of the Texas Property Code, any notice of claim to the named surety under this bond(s) should be sent to:

Mailing:

MID-CONTINENT CASUALTY COMPANY
OKLAHOMA SURETY COMPANY
P.O. BOX 1409
TULSA, OK 74101

TELEPHONE NO. 918-587-7221

Physical:

1437 S. BOULDER
SUITE 200
TULSA, OKLAHOMA 74119

ATTACH THIS NOTICE TO YOUR BOND

OKLAHOMA SURETY COMPANY

1437 SOUTH BOULDER, SUITE 200 · TULSA, OKLAHOMA 74119 · 918-587-7221 · FAX 918-588-1253

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That the OKLAHOMA SURETY COMPANY, a corporation organized and existing under and by virtue of the laws of the State of Ohio, does hereby nominate, constitute and appoint the person or persons named below, each individually if more than one is named, its true and lawful attorney-in-fact, for it and in its name, place and stead to execute on behalf of the said Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof. Brent M. Bionigan, Raul F. Campa, Jalna Ann Carey, Rob Dreiling, Janice Herrera, Gary Johnson and Kara Pierce, individually of RICHARDSON, TX

IN WITNESS WHEREOF, the OKLAHOMA SURETY COMPANY has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this 10 day of November, 2009



ATTEST:

OKLAHOMA SURETY COMPANY

SARA ANDERSON

ASSISTANT SECRETARY

TODD BAZATA

VICE PRESIDENT

On this 10 day of November, 2009 before me personally appeared TODD BAZATA, to me known, being duly sworn, deposes and says that s/he resides in Tulsa, Oklahoma, that s/he is a Vice President of Oklahoma Surety Company, the company described in and which executed the above instrument; that s/he knows the seal of the said Company; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by authority of her/his office under the By-Laws of said Company, and that s/he signed his name thereto by like authority.

STATE OF OKLAHOMA }
COUNTY OF TULSA } SS



Commission # 05000936

My Commission expires: 01-26-13

L. FAY JESSEE

Notary Public

This Power of Attorney is granted by authority of the following resolutions adopted by the Board of Directors of Oklahoma Surety Company by unanimous written consent dated September 25, 2009.

RESOLVED: That the President, the Executive Vice President, the several Senior Vice Presidents and Vice Presidents or any one of them, be and hereby is authorized, from time to time, to appoint one or more Attorneys-in-Fact to execute on behalf of the Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; to prescribe their respective duties and the respective limits of their authority; and to revoke any such appointment at any time.

RESOLVED FURTHER: That the Company seal and the signature of any of the aforesaid officers and any Secretary or Assistant Secretary of the Company may be affixed by facsimile to any power of attorney or certificate of either given for the execution of any bond, undertaking, contract of suretyship, or other written obligation in the nature thereof, such signature and seal when so used being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.

CERTIFICATION

I, SARA ANDERSON, Assistant Secretary of Oklahoma Surety Company, do hereby certify that the foregoing Power of Attorney and the Resolutions of the Board of Directors of September 25, 2009 have not been revoked and are now in full force and effect.

Signed and sealed this 1ST day of MARCH, 2010.



SARA ANDERSON

Assistant Secretary

VOID IF BOX IS EMPTY